

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FRANK SCHMIDT	:	CIVIL ACTION
	:	NO. 10-1963
and	:	
	:	
KRISTEN DONATO	:	
	:	
v.	:	
	:	
CITY CENTER ANNEX	:	

ORDER

AND NOW, this 28th day of November, 2011, upon consideration of defendant's motion to dismiss plaintiffs' punitive damages claim and to exclude testimony of worker's compensation payments and plaintiffs' motion to preclude testimony of Jasen Walker, it is ORDERED that:

- 1) Defendant's motion to dismiss plaintiffs' punitive damages claim is GRANTED;
- 2) Defendant's motion to exclude testimony of worker's compensation payments is GRANTED;
- 3) Consistent with the accompanying memorandum, plaintiffs' motion to exclude Walker's statements regarding Schmidt's credibility, the presence and conduct of counsel and the cause of Schmidt's injuries is GRANTED; and
- 4) Plaintiffs' motion to exclude Walker's testimony is DENIED in all other respects.

s/Thomas N. O'Neill, Jr.
THOMAS N. O'NEILL, JR., J.